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The Administrative Record Staff



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION VIII

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OPTIONAL FORM 100 (7-90)

FAX TRANSMITTAL

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Ref: 8HWM-FF

Ms. Jessie Roberson
Acting Assistant Manager for
Environmental Restoration
U.S. Department of Energy
Rocky Flats Office
P.O. Box 928
Golden, CO 80402-0928

Dear Ms. Roberson:

To JESSE ROBERSON	From M. HESTMA
Dept./Agency U.S. DOE	Phone # 294-1134
Fax # 966-4871	Fax #
NSN 7540-01-317-7368	5099-101 GENERAL SERVICES ADMINISTRATION

OPTIONAL FORM 99 (7-90)

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To JOE SCHEFFELIN (GARY SAULHMAN)	From MARTIN H. HESTMA
Dept./Agency	Phone # 294-1134
Fax # 759-5355	Fax # 294-7559
NSN 7540-01-317-7368	5099-101 GENERAL SERVICES ADMINISTRATION

EPA was recently contacted regarding the possibility of mining operations in the Rock Creek area of the Rocky Flats Plant site. This letter is to formally notify you of a number of concerns we have with this proposal.

First, EPA has consistently stated that it is the Department of Energy's (DOE) responsibility as the owner of the Rocky Flats Superfund site and as a party to the Interagency Agreement to ensure that any activity does not result in an unacceptable risk to human health or the environment by spreading existing contamination, does not interfere with ongoing Comprehensive Environmental Response, Compensation, and Liability Act response activities, and does not result in increased response costs. DOE must provide specific information about the mining proposal including (1) the exact area affected, (2) the nature and extent of contamination in the area, (3) the activities involved, (4) an assessment of associated risk, and (5) some interpretation of the information to demonstrate that their responsibilities have been met.

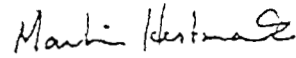
Secondly, the real possibility of mining in the Rocky Flats buffer zone dictates the consideration of mining as a land use scenario in the baseline risk assessments currently underway. Given this proposal, DOE should reconsider the range of likely future uses for the buffer zone. An ecological preserve scenario may no longer be reasonable, at least in areas where mineral rights are not owned by DOE.



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Obviously, the proposal requires more coordination between DOE, the regulatory agencies, and the public. If this is a serious proposal, we urge you to begin the discussion immediately. Please don't hesitate to call me if you have any questions about our position on this matter.

Sincerely,



Martin Hestmark, Manager
Rocky Flats Project